

Chinese Official Fights Corruption, and Loses, for Now

By ELISABETH ROSENTHAL

WUHAN, China — When Tao Wucheng, a delegate to the national Legislature this year, was asked to investigate allegations of fraud and corruption at a private clinic in this provincial capital, he viewed it mostly as a headache. A much praised Communist Party official, he was living in a distant corner of the province, doing work on poverty relief.

Instead, the task proved life threatening. On Sept. 29, he staggered out of the Wuhan Medical Center of Tonji Hospital — his face swollen and his bowels oozing blood from beatings that he says were ordered by the clinic's owner and carried out by its security staff. He spent the next month in a hospital.

When he contacted the local police to inquire about the assault that almost cost him his life, he learned that the investigation had been closed. He is now suing the police to take action. The entrepreneur who runs the clinic, Hang Yongming, did not answer repeated calls or questions faxed to him about the case.

While it is extraordinary that an official with national status could be treated this way — Mr. Tao believes he is the first — tales of businessmen and journalists being beaten have become routine fodder for the Chinese press.

Indeed, vigilante justice has become a serious problem for China's leaders. As China's central government pledges to quell corruption and build the rule of law, those efforts are commonly stymied by a lack of cooperation at the local level.

Local law enforcement officials often have more loyalty to local interests than to professionalism or national authorities. The police, prosecutors and judges all serve at the pleasure of local officials, who are often friends, and there is little possibility of disciplining them from above.

Likewise, central authorities — even those from the National People's Congress — have little leverage to enforce the decisions they make. Only if top leaders mandate action, as they did in the crackdown on the banned spiritual movement called Falun Gong, can they be assured of cooperation.

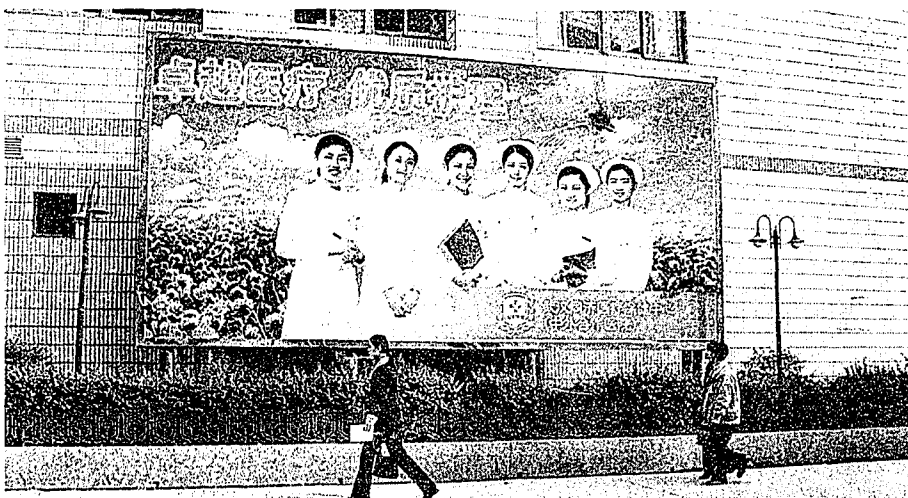
"People have this image of the Chinese government and the Communist Party as a monolith and very powerful," said Kenneth Lieberthal,

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a political scientist at the University of Michigan. "But what power do bodies like the National People's Congress really have down the hierarchy? The answer is zilch. They can carry out investigations, but they can't compel people to act."

In Mr. Tao's case, demands from both national and provincial officials for a thorough investigation elicited only cursory responses in Wuhan. Mr. Tao's beating has so far gone unreported in the state press, even though it happened in a major city of five million people and to a man with national stature.

Mr. Tao, a former police officer who later became a businessman, gave up a comfortable life in Beijing and moved to his hometown in rural Hubei province in 1999 to work help-



Photographs by Elisabeth Rosenthal/The New York Times

ing the poor. News articles praising his spirit of sacrifice have been featured in official media from The People's Daily to China Central Television. Several years back, his record of good work got him appointed to China's Legislature, the National People's Congress.

With a reputation for fairness and honesty, political leaders in Beijing saw him as ideal to investigate the fraud allegations that pitted the Tonji Hospital against Mr. Hang, a local businessman with good political ties who opened the plush private clinic on the hospital grounds.

Mr. Tao, who also works as a part-time reporter for a government magazine, made an appointment to see Mr. Hang on Sept. 28, identifying himself both as a People's Congress delegate and a writer. He interviewed both sides scrupulously, he recalled in an interview in December after he ended his hospital stay.

His investigation disclosed that the two sides signed a contract in 1995 and built a luxurious clinic, with a marble lobby, dotted by huge porcelain vases and potted palms. But the relationship quickly turned sour.

The hospital said Mr. Hang failed to provide outside funds as he was legally obliged to do, and instead used the hospital's own land as collateral for loans. It said Mr. Hang exaggerated the amount of land the hospital owned in order to borrow more.

Once the hospital was opened, there were many complaints of accounting problems and suspect business practices, Mr. Tao learned.

Mr. Hang and his associates took costly trips that were charged to the hospital, the investigation found. The price of new equipment was grossly exaggerated, as was the cost of medical tests. No one could explain where the extra money went.

Doctors complained that they were forced to recruit patients who did not need treatment, under threat of having their salary docked.

"The scheme was like a shell game," Mr. Tao concluded after interviewing all parties. "By the end of the first four-hour interview I knew enough to know he was a swindler," said Mr. Tao of Mr. Hang, who he said saw him to the door and offered him a payoff and a meal. He refused.

When Mr. Hang offered to provide him with more materials the following day, however, Mr. Tao said he readily agreed, trying to be fair.

That next day, as he waited to be received, seven or eight men burst



into the room and beat him, he said. "You're up to no good — Do you know where you are?" he recalled Mr. Hang saying as he looked on.

For eight hours Mr. Tao was a captive, kicked and hit, subjected to torture, denied food and drink or access to a phone. He said most of his assailants appeared to be civilians but at least one had a police pass and a police uniform. "I was scared because they looked like members of a crime gang," said Mr. Tao.

At one point, when he was given permission to use the bathroom, Mr. Tao tried to escape through a ground floor window — only to be caught and beaten some more.

By the time he was released, he said, "my whole body was in pain." His hand was so badly crushed that he still cannot straighten one finger. The head punches left him partly deaf for a time. His intestines were bruised and he defecated blood. The emotional trauma lingers on.

From his hospital bed, Mr. Tao reported his beating to National People's Congress officials, as well as to the local police, and both initiated inquiries. Mr. Hang told local investigators that Mr. Tao had sustained his injuries by jumping through a window, which was on the ground floor. The inquiries were mysteriously dropped. Although two security

Tao Wucheng, a Chinese Communist Party official, was hospitalized for a month after being beaten by thugs in Wuhan, a provincial capital, while investigating corruption at the luxurious private clinic advertised on a billboard, above. Although he reported the incident to the local police, they quickly ended their investigation. In China, law enforcement officials are often more loyal to local business interests than they are to the central government.

guards were detained, no further action was taken. "Hang thought he could use money to maintain his connections and ignore the law," said Mr. Tao. "And it worked."

A woman who answered the phone in Mr. Hang's office and identified herself only as Ms. Xian said that he was not in Wuhan and that she had not been able to contact him.

In October, an police official from Wuhan called Mr. Tao by telephone to apologize but refused to identify himself, noting that one policeman had been detained for 10 days and another had been relieved of his duties.

"This is a serious crime and they were treating it as if it's an administrative misdemeanor," said Mr. Tao.

He has lodged a suit against the Wuhan police for "administrative inaction," charging that they were negligent. He is also preparing a \$100,000 civil suit against Mr. Hang to cover his medical bill and mental suffering.

The party secretary of Hubei Province and other high officials "have taken the case very seriously, but the officials below have deceived them," Mr. Tao said. "But I'm confident the law will bring about justice."

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